

10/529622

REC-110 13 OCT 2005

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By: Ann Massey

Attorney Docket No. 0267us310

IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

In re application of:

HAANING, Jesper Mortensen, *et al.*

Application No.: 10/529,624
(371 of PCT/DK03/00632)

I.A. Filed: September 26, 2003

For: FVII OR FVIIA VARIANTS HAVING
INCREASED CLOTTING ACTIVITY

Examiner:

Art Unit:

RESPONSE TO
NOTIFICATION OF MISSING
REQUIREMENTS UNDER 35 U.S.C 371

Commissioner for Patents,
PO Box 1450, Alexandria VA 22313-1450
Mail-Stop PCT

Sir:

In response to the "Notification of Missing Requirements under 35 U.S.C. 371" mailed from the Patent Office on August 15 2005, enclosed are the following to be made of record in the above-identified application:

1. Transmittal Letter to the United States Designated/Elected Office DO/EO/US (3 pages, plus one copy of page 3);
2. This Response (2 pages);
3. Copy of Notification of Missing Requirements (2 pages);
4. Executed Declaration (2 pages);
5. Power of Attorney or Authorization of Agent, Not Accompanying Application, and Statement Under 37 CFR §3.73(b), together with copy of Assignment (not for recordation) (4 pages total);

HAANING, Jesper Mortensen, et al.
10/529,624 (a §371 of PCT/DK03/00632)
Response to Missing Requirements
Page 2 of 2

Attorney Docket No. 0267us310

6. Assignment for Recordation, from Inventors to Maxygen Holdings Ltd., plus Cover Sheet (3 pages total); and
7. Return Acknowledgement Postcard.

Please charge a total of \$ **170.00** (\$130.00 Late Oath/Declaration surcharge, plus \$40.00 fee for recording the enclosed Assignment) to Deposit Account No. 50-0990.

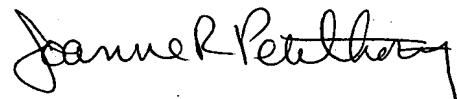
Please charge any additional fees, or credit any overpayment, to Deposit Account No. 50-0990.

October 13 2005

Maxygen, Inc.
Intellectual Property Department
515 Galveston Drive
Redwood City, CA 94063
Customer Number 30560

Phone: (650) 298-5452 (direct)
(650) 298-5300 (main)
Fax: (650) 298-5446

Respectfully submitted,



Joanne R. Petithory, Ph.D.
Reg. No. 42,995

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER 0267us310
INTERNATIONAL APPLICATION NO. PCT/DK2003/000632		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/529,624
INTERNATIONAL FILING DATE 26 September 2003		PRIORITY DATE CLAIMED 30 September 2002
TITLE OF INVENTION FVII OR FVIIA VARIANTS HAVING INCREASED CLOTTING ACTIVITY		
APPLICANT(S) FOR DO/EO/US HAANING, Jesper Mortensen, et al.		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1. <input type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371.		
2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371.		
3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.		
4. <input type="checkbox"/> The US has been elected (Article 31).		
5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ul style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 		
6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ul style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 		
7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ul style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 		
8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).		
9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).		
10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).		
Items 11 to 20 below concern document(s) or information included:		
11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.		
12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.		
13. <input type="checkbox"/> A preliminary amendment.		
14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.		
15. <input type="checkbox"/> A substitute specification.		
16. <input checked="" type="checkbox"/> A power of attorney, plus Statement under 3.73(b) and Copy of Assignment (not for Recordation)		
17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.		
18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).		
19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).		

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/529,624		INTERNATIONAL APPLICATION NO. PCT/DK2003/000632		ATTORNEY'S DOCKET NUMBER 0267us310	
20. Other items or information: <ul style="list-style-type: none"> • Response to Notice of Missing Requirements (2 pp.) ; • Copy of Notice of Missing Requirements (2 pp.) • Return receipt postcard <div style="text-align: right;">Express Mail Label No. EV 332 431 606 US</div>					
The following fees have been submitted				CALCULATIONS	PTO USE ONLY
21. <input type="checkbox"/> Basic national fee (37 CFR 1.492(a))..... \$300				\$	
22. <input type="checkbox"/> Examination fee (37 CFR 1.492(c))				\$	
If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0 All other situations..... \$200				\$	
23. <input type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB..... \$400 All other situations..... \$500				\$	
TOTAL OF 21, 22 and 23 =					
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/50 =		x \$250	\$	
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).				\$	130
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	- 20 =	6	x \$ 50	\$	
Independent claims	- 3 =	0	x \$200	\$	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360	\$	
TOTAL OF ABOVE CALCULATIONS =				\$	130
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.					
SUBTOTAL =				\$	130
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$	
TOTAL NATIONAL FEE =				\$	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$	40
TOTAL FEES ENCLOSED =				\$	170
				Amount to be refunded:	\$
				Amount to be charged:	\$

10/19/2005 LLANDGRA 00000083 500990 10529624

01 FC:1617 130.00 DA

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

- a. ☐ A check in the amount of \$ _____ to cover the above fees is enclosed.
- b. ☒ Please charge my Deposit Account No. 50-0990 in the amount of \$ 170 to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-0990. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

Joanne R. Petithory
Maxygen, Inc.
Intellectual Property Dept.
515 Galveston Drive
Redwood City, CA 94063

(Customer No. 30560)

SIGNATURE

Joanne R. Petithory

NAME

42,995

REGISTRATION NUMBER

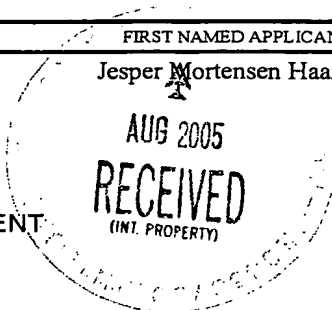


UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/529,624	FIRST NAMED APPLICANT Jesper Mortensen Haaning	ATTY. DOCKET NO. 0267us310
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30560
 MAXYGEN, INC.
 INTELLECTUAL PROPERTY DEPARTMENT
 515 GALVESTON DRIVE
 RED WOOD CITY, CA 94063



INTERNATIONAL APPLICATION NO. PCT/DK03/00632	
I.A. FILING DATE 09/26/2003	PRIORITY DATE 09/30/2002

CONFIRMATION NO. 4465
 371 FORMALITIES LETTER
 OC000000016774943
 OC000000016774943

Date Mailed: 08/15/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 03/30/2005
- Copy of the International Search Report filed on 03/30/2005
- Preliminary Amendments filed on 03/30/2005
- Biochemical Sequence Diskette filed on 03/30/2005
- Biochemical Sequence Listing filed on 03/30/2005
- U.S. Basic National Fees filed on 03/30/2005
- Priority Documents filed on 03/30/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.16(f) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity.

- \$130 Surcharge.

Entity: 264/05, cam
 App. No. 0267.310
 Filing Date 10/15/05
 Due Date 3/15/02
 Final Date notice of missing Requirements

cc: Mary APS ✓

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PAULETTE R KIDWELL

Telephone: (703) 308-9140 EXT 216

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/529,624	PCT/DK03/00632	0267us310

FORM PCT/DO/EO/905 (371 Formalities Notice)